

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AUTOCONNECT HOLDINGS, LLC

Plaintiff,

v.

FORD MOTOR COMPANY,

Defendant.

Case No.: 1:24-cv-01327-JCG

Hon. Jennifer Choe-Groves

JURY TRIAL DEMANDED

**FORD MOTOR COMPANY'S PRELIMINARY
INVALIDITY CONTENTIONS**

Neal C. Belgam (*Admission Pending*)
Daniel A. Taylor (*Admission Pending*)
SMITH KATZENSTEIN JENKINS LLP
The Brandywine Building
1000 West St., Suite 1501
Wilmington, DE 19801
(302) 652-8400
nbelgam@skjlaw.com
dat@skjlaw.com

OF COUNSEL:
BROOKS KUSHMAN P.C.
John S. LeRoy
Christopher C. Smith
Reza Roghani Esfahani
150 W. Second St., Suite 400N
Royal Oak, MI 48067-3846
(248) 358-4400
jleroy@brookskushman.com
csmith@brookskushman.com
resfahani@brookskushman.com

Counsel for Defendant

1. U.S. Patent No. 9,147,297

Ex.	Country	Name/Patent/ Application No.	Filing/ Publication/Issue Date	Inventor(s)	35 U.S.C. Section 102
A-9	US	Ford Sync Gen I System	2007	Ford Motor Company	Pre-AIA 102(a), (b), (e)
A-7	US	Ford MyKey System	2012	Ford Motor Company	Pre-AIA 102(a), (b), (e)
A-8	US	2011/0093165	June 23, 2009 / Apr 21, 2011 / NA	Miller et al.	Pre-AIA 102(a), (b), (e)
A-5	US	8,977,408	Sep. 23, 2011 / March 3, 2015 / March 3, 2015	Cazanas et al.	Pre-AIA 102(e)
	DE	102011100941	May 9, 2011 / Nov. 15, 2012 / N/A	Schäfer et al.	Pre-AIA 102(a), (b), (e)
A-4	US	9,224,289	March 15, 2013 / June 21, 2014 / Dec. 29, 2015	Demeniuk et al.	AIA 102(a)(2)
	DE	102011112680	Sept. 6, 2011 / May 10, 2012 / N/A	Kulendik et al.	Pre-AIA 102(a), (b), (e)
	EP	2163450	June 25, 2008 / Mar. 17, 2010 / Nov. 16, 2016	Agnvall et al.	Pre-AIA 102(a), (b), (e)
	JP	4629066	Apr. 17, 2007 / Sept. 20, 2007 / Feb. 9, 2011	Williams et al.	Pre-AIA 102(a), (b), (e)
	KR	10-0647374	Jan. 19, 2005 / July 24, 2006 / Nov. 23, 2006	Hyun	Pre-AIA 102(a), (b), (e)
	KR	2009-0023143	Aug. 22, 2008 / Mar. 4, 2009 / N/A	Hoh et al.	Pre-AIA 102(a), (b), (e)
	US	6,981,042	Sept. 6, 2000 / N/A / Dec. 27, 2005	Rey	Pre-AIA 102(a), (b), (e)
	US	7,657,907	Sept. 30, 2002 / Apr. 15, 2004 / Feb. 2, 2010	Ferman et al.	Pre-AIA 102(a), (b), (e)
	US	7,831,350	Feb. 24, 2006 / June 29, 2006 / Nov. 9, 2010	Goudy	Pre-AIA 102(a), (b), (e)
	US	8,234,135	Dec. 8, 2011 / Apr. 5, 2012 / July 31, 2012	Herde et al.	Pre-AIA 102(a), (b), (e)
	US	10,250,837	Dec. 5, 2012 / June 5, 2014 / Apr. 2, 2019	Newell	Pre-AIA 102 (e)
A-1	US	2007/0143482	Dec. 20, 2005 / June 21, 2007 / N/A	Zancho	Pre-AIA 102(a), (b), (e)

desire to improve features and performance, would motivate the addition of features to systems as they become available, become less expensive, become more commonly used, provide better performance, reduce costs, size or weight, or predictably achieve other clearly desirable results.

A. Regarding the '297 Patent

The '297 patent relates to systems and methods for accessing and implementing user profiles that contain settings for adjustable components of the vehicle.

Although the '297 patent's specification describes embodiments primarily in the context of vehicle infotainment systems, the asserted claims are not restricted to vehicles and drivers, but rather to the broader context of an "infotainment system" and a "user." Independent claims recite a method, non-transitory computer readable medium or system, or system to detect a user profile with "infotainment information" and an associated infotainment system, and then determine to adjust a configuration of an infotainment system based on that "infotainment information" As shown in the references of the Exhibit A charts, user profiles, configuring infotainment systems based on user profiles consistent with these elements was well known to a person of skill in the art. E.g. Zellner '861 at [0049], [0059]; Morehouse '141 at Abstract.

The independent claims also recite determination and comparison of access priorities for two users as part of the determination to adjust a configuration of an infotainment system. A person of ordinary skill in the art would also be well aware of methods and systems for this determination, but in and out of the vehicle context as of the invention date of the '297 patent. Newell '837 at 19-29 ("the set-top box 22 can compare the priority data of each user profile and then execute operations based on the user that has the highest priority Alternatively, the set-top box 22 can automatically give control to the higher priority user, and can load the configuration according to that user's profile."); Cazanas '408 at 7:33-36 ("if the vehicle 14 has two key fobs 18,

key fob A and key fob B, the mastership may be set so that key fob A controls when both key fobs 18 are detected”).

A person of ordinary skill in the art would have been aware of prior art examples of adjusting media configuration settings based on user profiles and access priority by the priority date of the '297 patent. Such concepts were well known and commonplace in the field of networks systems and personalized settings, including in connected vehicles. Indeed, it was obvious to a POSITA at the time of the '297 patent to implement functionality present in other personal computing devices in a vehicle's computing environment, which effectively became another personal computing device. For example, as multi-user computing environments became commonplace, it was obvious to customize a user environment to the current user of the system. For example, when a user logs into a laptop, the Windows environment confirms to the user's preferences based on the user priorities. An administrative user has access to greater functionality than a normal user. Similarly, parental controls for streaming of audio and video work in a similar manner, granting greater access and control to certain users than others.

A person of skill in the art would further have viewed the features recited in the dependent claims in the '297 patent as known and conventional, or example, partial proximity-based detection. E.g. Rey '042, 1:63-65. Online access while obtaining additional information (although the claim does not require that the online source provide that information) was also well known from various cloud services. E.g. Zellner '861 at [0091] (“Still other configurations can provide priority settings between the user device 106 and the remote network 210 (universally for the environment, for each setting, for each type of setting, for particular users, etc.)”).)

To the extent that any on the charted reference in Exhibit A does not explicitly each and every element in the same configuration as the claims of the '297 patent, a POSITA would

understand that various embodiments consistent with the claims of the '297 patent would be obvious, relying on the POSITA's own background knowledge of the state of the art and experience to understand each reference teachings to disclose every claim limitation. Additionally, a person of skill in the art would be motivated to combine the charted references with one or more of the other charted references and prior art listed above as reference and system prior art with respect to the '297 and have a reasonable expectation of success. For example, a person of skill in the art would look to the following exemplary combinations of references:

- Zanco '482 in view of one or more of Zellner '861, Hendry '178, Demeniuk '289, Cazanas '408, Namburu '939, and Newell '837.
- Zellner '861 in view of one or more of Zanco '482, Hendry '178, Demeniuk '289, Cazanas '408, and Newell '837.
- Hendry '178 in view of one or more of Zanco '482, Zellner '861, Demeniuk '289, Cazanas '408, and Newell '837.
- Namburu '939 in view of one or more of Zanco '482, Zellner '861, Hendry '178, Demeniuk '289, Cazanas '408, and Newell '837.

For example, a person of skill in the art would seek to combine the Zellner, and Hendry, Cazanas, and Namburu references with a reasonable expectation of success because each of them disambiguates user profiles and assigns priority based on a key fob identification system for the purpose of customizing configuration settings. A person of ordinary skill in the art would further be motivated to combine one or more of Zellner, Hendry, and Cazanas with Demeniuk, Namburu, or Newell with a reasonable expectation of success because each of Demeniuk and Newell discloses a more capable object, such as a phone, as a device that identifies a user to the vehicle. Although Newell does not explicitly disclose vehicles, Zanco's teachings to carry infotainment

information from one domain, such as home, to another, such as a vehicle, would motivate a person of ordinary skill in the art to combine its Newell, which discloses television receivers as configurable based on infotainment information in user profile lookup-based manner as the other references, with one or more of each of the other references that do disclose a vehicle.

It would further been obvious to combine any system identified in Section II.C.14 with any of the references charted in Exhibit A.

B. Regarding the '296 Patent

The '296 patent relates to systems and methods for accessing and implementing user profiles that contain settings for adjustable components of the vehicle.

Analogous Art. Each of the references cited in the Exhibit G charts are analogous prior art to the '296 patent and to one another because they are directed to the same or similar fields and aim to solve the same or similar problems. For example, all of the prior art references cited in the Exhibit G charts are directed to systems and methods for accessing and implementing user profiles that contain settings for adjustable components of the vehicle. *E.g.*, Ikeda '209 at Abstract, Figure 1, Figure 2, [0005], [0009], [0061], [0063], [0065], [0092], [0093]; Ikeda '823 MT at claim 1, [0001], [0058], [0061], [0073]-[0075], [0114]; Ikeda '634 MT at claim 1, [0001], [0007], [0028], [0050], [0068]; He '491 at Figure 3, [0002], [0009], [0011], [0013], [0027], [0033], claim 11; Morehouse '141 at Abstract, [0001], [0002], [0007], [0021]; Yasui '227 MT at [0064]; Bachmann '467 at Abstract, 4:12-21, 6:3-12, 6:21-33, 6:50-65; Suzuki '654 MT at claim, [0004], [0010], [0012]-[0014]; Cho '207 at 4:15-26, 7:31-37, 12:3-14, 13:39-14:5; Baumann '656 at [0001], [0006], [0012]; Bando '391 MT at claims 1 and 3-6, [0001], [0047], [0048]; Lemelson '947 at Figure 3, 11:55-12:6; Coon '062 at Abstract, [0013], Figures 2A-2D; Breed '380 at 112:8-35; Endo '092 MT at [0001], [0007], [0008], [0021], [0062]; Breed '854 at 30:29-47, 86:63-87:7; Reimann '389 at Abstract, 2:27-42; Demeniuk '289 at 3:26-28, 19:50-56; Hendry at [0002],